

# **EXHIBIT 42**

to the Declaration of  
Dean M. Harvey in Support of  
Plaintiffs' Opposition Briefs

**REDACTED VERSION**

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**From:** Donna Morris [dcmorris@adobe.com]  
**Sent:** Tuesday, October 05, 2004 10:34 PM  
**To:** 'Ellen Swarthout'  
**Subject:** FW: offer components - [REDACTED]

Ellen – here is my email to John – note the sign on bonus which is still very aggressive but is not the [REDACTED] recommendation. I have also given Theresa a heads up..

Tx d

Donna Morris  
Sr. Director, Global Talent  
Adobe Systems Incorporated

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-----Original Message-----

**From:** Donna Morris [<mailto:dcmorris@adobe.com>]  
**Sent:** Tuesday, October 05, 2004 10:28 PM  
**To:** John Brennan  
**Cc:** [Paul.Proett@adobe.com](mailto:Paul.Proett@adobe.com); 'Jeff Vijungco'; Donna Morris; [melissa.mckee@adobe.com](mailto:melissa.mckee@adobe.com)  
**Subject:** offer components - [REDACTED]

[REDACTED]

In considering compensation for the Sr Director, M&A/Alliances, I wanted to bring to your attention that Senior Director comparisons have base salaries in the range of \$150,000 – \$200,000 plus bonus and equity (this would be within the range for [REDACTED]). The current salary range for the position scoped as a Senior Director would be as follows – min \$150,000 – \$200,000 plus bonus and equity. The proposed recommendation would make him the highest paid Sr Dir and higher than a number of our Vice President positions. Please note that the VP's we discussed today have base salaries in the range of \$100,000 – \$150,000 plus bonus and equity, and as mentioned when we spoke today, the salary for Gloria was based on her former VP Sales Operations role – her current role would need to be re-scoped by the compensation team to provide you with the range for the role she is now assuming.

Recommendation:

[REDACTED]

(\*payable upon commencement – should [REDACTED] leave within the first year he would need to repay the prorated remaining portion of the sign on bonus. This is the most aggressive sign on bonus for a non executive level hire.)

John, based on the scope of the role today and internal equity + our confined stock situation I believe this offer is very competitive. The offer would need to be contingent upon both a completed background check and an application. We will do up the formal written offer with these elements and we will get this to you tomorrow (Wed). In terms of parallel process we will also ensure that interviews are set for the candidates we discussed today.

Let me know if you would like to discuss further – or with [REDACTED], many thanks - donna

Donna Morris  
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